

2013 DRAFTING REQUEST

Bill

Received: **9/12/2012** Received By: **gmalaise**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget 6-2288** By/Representing: **Major**
May Contact: Drafter: **gmalaise**
Subject: **Children - child welfare** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Major, BB0191 -

Topic:

Tribal family services program

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	gmalaise 10/17/2012	scalvin 9/24/2012	jfrantze 9/24/2012	_____	sbasford 9/24/2012		State S&L
/1	gmalaise 1/23/2013	scalvin 10/18/2012	rschluet 10/18/2012	_____	srose 10/18/2012		State S&L
/2	gmalaise 2/7/2013	scalvin 1/23/2013	rschluet 1/23/2013	_____	sbasford 1/23/2013		State S&L
/3	gmalaise	scalvin	rschluet	_____	mbarman		State

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	2/13/2013	2/7/2013	2/7/2013	_____	2/7/2013		S&L
/4		scalvin	rschluet	_____	mbarman		State
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14 sac
02/13/2013

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Subject: **Children - child welfare** Addl. Drafters:
Extra Copies:

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Requester's email:
Carbon copy (CC) to:

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FE Sent For: *13 sac*
02/07/2013

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For: **Administration-Budget 6-2288** By/Representing: **Major**
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Subject: **Children - child welfare** Addl. Drafters:
Extra Copies:

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Carbon copy (CC) to:

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See attached

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FE Sent For: 12 sac
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		11 sac 10/18/12	11 sac 10/18/12				

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Received: **9/12/2012**

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Wanted: **As time permits**

Companion to LRB:

For: **Children and Families 1-4349**

By/Representing: **Bob Nikolay**

May Contact:

Drafter: **gmalaise**

Subject: **Children - child welfare**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **robert.nikolay@wisconsin.gov**

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Tribal family services program

Instructions:

See attached

Drafting History:

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Wanted: As time permits

Companion to LRB:

For: Children and Families 1-4349

By/Representing: Bob Nikolay

May Contact:

Drafter: gmalaise

Subject: Children - child welfare

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: robert.nikolay@wisconsin.gov

Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

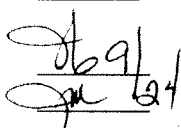
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/P1	gmalaise	/P1 SAC 9/24/12	/P1 SAC 9/24/12				

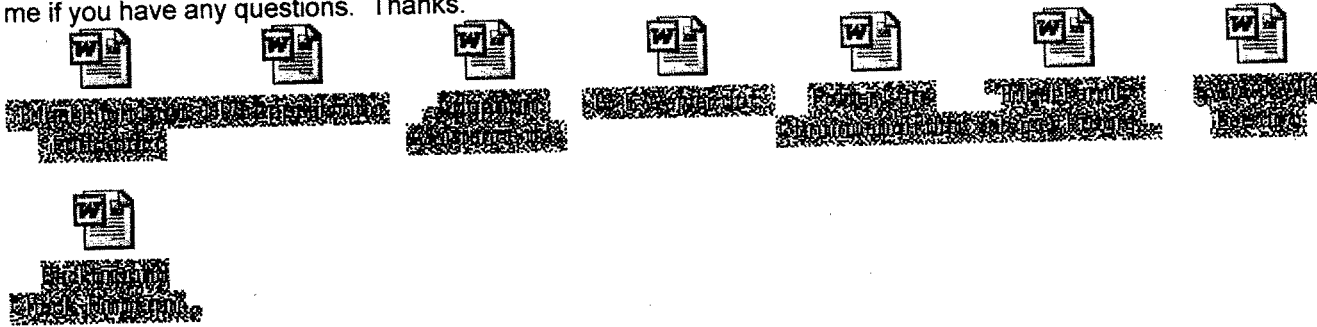
FE Sent For:

<END>

Malaise, Gordon

From: Nikolay, Robert A - DCF <Robert.Nikolay@wisconsin.gov>
Sent: Wednesday, September 12, 2012 12:22 PM
To: Malaise, Gordon
Cc: Hanaman, Cathlene
Subject: FW: 2013-15 Biennial Budget Drafting Requests for DCF

Gordon,
Attached are biennial budget drafting requests related to Chapter 48 and Chapter 20 Program 1 in DCF. Please contact me if you have any questions. Thanks.



Bob Nikolay
Budget Director
Wisconsin Department of Children & Families
(608) 261-4349

**Department of Children and Families
2013-15 Biennial Budget
Statutory Language Request**

Topic: Tribal Family Services Program

Current Language:

Under current practice the Department distributes funding from various program to tribes in tribal family services allocation comprised of funding from various sources, including: (i) \$210,000 GPR from the appropriation under s. 20.437(1)(eg) for the Tribal Adolescent Services allocation under s. 48.487; (ii) \$408,700 GPR from the appropriation under s. 20.437(1)(b) for tribal child care under s. 48.563(3); (iii) \$466,200 GPR from the appropriation under s. 20.437(1)(cd) for domestic abuse grants under s. 49.165; and (iv) \$187,000 FED from the appropriation under s. 20.437(1)(o) from federal IV-B Part 1 funds for child welfare activities.

Proposed Change:

Modify the statutes to create a new Tribal Family Services Program appropriation with a funding level of \$1,271,900 to fund Tribal Adolescent Services under s. 48.487, tribal child care under s. 48.563(3), domestic abuse grants under s. 49.165 and child welfare services to tribal children and families. Delete the earmarks under s. 48.487 and s. 49.165 and instead specify that tribes may use the \$1,271,900 GPR funds for any of these purposes.

Justification:

Wisconsin Indian Tribes receive funding from various GPR and federal funds sources that the Department provides in the Tribal Family Services Program. These combined funds are distributed in a block grant that the tribes can use for a broad range of children and family services. The Department is proposing to consolidate the various GPR fund sources that make up the Tribal Family Services Program. In doing so, the Department would establish a single GPR amount of \$1,271,900 allocated to tribes that could be used for any of the services indicated – child welfare, domestic abuse, child care, and adolescent services – and eliminate the earmarks. Tribes would then have the flexibility to spend the funds on the services that best meets the needs of tribal members.

Desired Effective Date: Upon enactment

Agency Contact: Bob Nikolay
261-4349

Malaise, Gordon

From: Nikolay, Robert A - DCF <Robert.Nikolay@wisconsin.gov>
Sent: Thursday, September 13, 2012 6:07 PM
To: Malaise, Gordon
Subject: RE: 2013-15 Biennial Budget Drafting Requests for DCF

Gordon, I know these drafts are not all you have thinking about this last day and a half. However, in order to submit our budget we are creating a new GPR alpha appropriation in the Tribal Family Services draft. We were thinking 437(1)(bd). Does that make sense from your perspective for the new appropriation?

Bob Nikolay
Budget Director
Wisconsin Department of Children & Families
(608) 261-4349

From: Nikolay, Robert A - DCF
Sent: Wednesday, September 12, 2012 12:22 PM
To: Malaise, Gordon - LEGIS
Cc: Hanaman, Cathlene - LEGIS
Subject: FW: 2013-15 Biennial Budget Drafting Requests for DCF

Gordon,

Attached are biennial budget drafting requests related to Chapter 48 and Chapter 20 Program 1 in DCF. Please contact me if you have any questions. Thanks.

<< File: Tribal High Cost Fund.doc >> << File: CPS Appeals.doc >> << File: Adoption Assistance.doc >> << File: IV-E Waiver.doc >> << File: Foster Care Continuation.doc >> << File: Tribal Family Services Program.doc >> << File: eWiSACWIS Fee.doc >> << File: Background Check & Fingerprinting .doc >>

Bob Nikolay
Budget Director
Wisconsin Department of Children & Families
(608) 261-4349



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0070/P1

GMM.....

suc✓

IN 9118

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1

do not generate
AN ACT ..; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DCF provides funding from various appropriations to the Indian tribes of this state for various tribal family services. Specifically, from an appropriation of general purpose revenues (GPR), DCF provides grants to Indian tribes for tribal adolescent services; from another GPR appropriation, DCF provides grants to Indian tribes for domestic abuse services; from another GPR appropriation, DCF distributes moneys to Indian tribes for child care services; and from an appropriation of federal revenues, DCF distributes moneys to Indian tribes for child welfare services. Current law also specifies the amounts that DCF may provide for tribal adolescent services and must distribute for tribal child care services.

This bill eliminates funding from those various appropriations for those various tribal family services and instead creates a new GPR appropriation from which DCF must distribute tribal family services grants to the elected governing bodies of the Indian tribes in this state. The bill also eliminates the specific amounts that DCF may provide for tribal adolescent services and must distribute for tribal child care services and instead permits an elected governing body of an Indian tribe that receives a tribal family services grant to expend the grant moneys received as determined by that body.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.437 (1) (bd) of the statutes is created to read:

20.437 (1) (bd) *Tribal family services grants*. The amounts in the schedule for tribal family services grants under s. 48.487.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 20.437 (1) (eg) of the statutes is amended to read:

20.437 (1) (eg) *Brighter futures initiative and tribal adolescent services*. The amounts in the schedule for the brighter futures initiative under s. 48.545 and for tribal adolescent services under s. 48.487.

History: 2007 a. 20 ss. 331, 335, 340, 341, 342, 344 to 352, 354 to 368g, 374 to 376, 380, 381, 401, 404, 405, 423 to 437, 447, 448, 450, 451, 453, 453p, 454, 456 to 458, 460e, 463, 465 to 472, 474 to 480, 9121 (6) (a); 2009 a. 28 ss. 471 to 513, 522; 2009 a. 76, 180, 185, 265, 339; 2011 a. 32, 258.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 3. 48.487 (title) of the statutes is amended to read:

48.487 (title) Tribal adolescent family services.

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1995 a. 27, 289; 1999 a. 9 ss. 1123d to 1125r, 1128d to 1128k, 1129g to 1129r; 2001 a. 16; 2005 a. 25; 2007 a. 20 ss. 1215 to 1219; Stats. 2007 s. 48.487; 2009 a. 94.

SECTION 4. 48.487 (1m) of the statutes is amended to read:

48.487 (1m) TRIBAL ADOLESCENT FAMILY SERVICES ALLOCATION GRANTS. From the appropriation account under s. 20.437 (1) (eg) (bd), the department may allocate \$210,000 in each fiscal year to provide the grants specified shall distribute tribal family services grants to the elected governing bodies of the Indian tribes in this state. An elected governing body that receives a grant under this subsection may expend the grant moneys received for any of the purposes specified in subs. (2), (3) (b), and (4m) (b), (5), (6), and (7) as determined by that body.

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1995 a. 27, 289; 1999 a. 9 ss. 1123d to 1125r, 1128d to 1128k, 1129g to 1129r; 2001 a. 16; 2005 a. 25; 2007 a. 20 ss. 1215 to 1219; Stats. 2007 s. 48.487; 2009 a. 94.

(b)

1 **SECTION 5.** 48.487 (2) of the statutes is amended to read:

2 48.487 (2) ADOLESCENT SELF-SUFFICIENCY SERVICES. ~~From the allocation under~~
3 ~~sub. (1m), the department may provide a grant annually in the amount of \$85,000~~
4 ~~to the~~ An elected governing body of an Indian tribe may expend moneys from a grant
5 received under sub. (1m) to provide services for adolescent parents which. Those
6 services shall emphasize high school graduation and vocational preparation,
7 training, and experience and may be structured so as to strengthen the adolescent
8 parent's capacity to fulfill parental responsibilities by developing social skills and
9 increasing parenting skills. ~~The Indian tribe seeking to receive a grant to provide~~
10 ~~these~~ An Indian tribe that provides those services shall develop a proposed service
11 plan that is approved by the department.

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1995 a. 27, 289; 1999 a. 9 ss. 1123d to 1125r, 1128d to 1128k, 1129g to 1129r; 2001 a. 16; 2005 a. 25; 2007 a. 20 ss. 1215 to 1219; Stats. 2007 s. 48.487; 2009 a. 94.

12 **SECTION 6.** 48.487 (3) (b) of the statutes is amended to read:

13 48.487 (3) (b) ~~From the allocation under sub. (1m), the department may provide~~
14 ~~a grant annually in the amount of \$65,000 to the~~ An elected governing body of an
15 Indian tribe may expend moneys from a grant received under sub. (1m) to provide
16 ~~to high-risk adolescents~~ pregnancy and parenthood prevention services which to
17 high-risk adolescents. Those services shall be structured so as to increase the
18 development of decision-making and communications skills, promote graduation
19 from high school, and expand career and other options and ~~which~~ may address needs
20 of adolescents with respect to pregnancy prevention.

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1995 a. 27, 289; 1999 a. 9 ss. 1123d to 1125r, 1128d to 1128k, 1129g to 1129r; 2001 a. 16; 2005 a. 25; 2007 a. 20 ss. 1215 to 1219; Stats. 2007 s. 48.487; 2009 a. 94.

21 **SECTION 7.** 48.487 (4m) (title) of the statutes is amended to read:

22 48.487 (4m) (title) ADOLESCENT CHOICES PROJECT GRANTS PROJECTS.

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1995 a. 27, 289; 1999 a. 9 ss. 1123d to 1125r, 1128d to 1128k, 1129g to 1129r; 2001 a. 16; 2005 a. 25; 2007 a. 20 ss. 1215 to 1219; Stats. 2007 s. 48.487; 2009 a. 94.

23 **SECTION 8.** 48.487 (4m) (b) (intro.) of the statutes is amended to read:

1 48.487 (4m) (b) (intro.) ~~From the allocation under sub. (1m), the department~~
2 ~~may provide a grant annually in the amount of \$60,000 to the~~ An elected governing
3 body of an Indian tribe ~~for the provision of~~ may expend moneys from a grant received
4 under sub. (1m) to provide information to members of the Indian tribe in order to
5 increase community knowledge about the problems of adolescents and to provide
6 information to and activities for adolescents, particularly female adolescents, in
7 order to enable the adolescents to develop skills with respect to all of the following:

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1995 a. 27, 289; 1999 a. 9 ss. 1123d to 1125r, 1128d to 1128k, 1129g to 1129r; 2001 a. 16; 2005 a. 25; 2007 a. 20 ss. 1215 to 1219; Stats. 2007 s. 48.487; 2009 a. 94.

8 **SECTION 9.** 48.487 (4m) (c) of the statutes is amended to read:

9 48.487 (4m) (c) ~~Each funded tribal project~~ An Indian tribe that provides
10 services under par. (b) shall provide those services in areas an area of the state as that
11 is approved by the Indian tribe and the department. The department shall
12 determine the boundaries of the ~~regional areas prior to soliciting project grant~~
13 applications regions in this state within which the Indian tribes may provide services
14 under par. (b) before approving the service area of an Indian tribe under this
15 paragraph.

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1995 a. 27, 289; 1999 a. 9 ss. 1123d to 1125r, 1128d to 1128k, 1129g to 1129r; 2001 a. 16; 2005 a. 25; 2007 a. 20 ss. 1215 to 1219; Stats. 2007 s. 48.487; 2009 a. 94.

16 **SECTION 10.** 48.487 (4m) (d) of the statutes is amended to read:

17 48.487 (4m) (d) ~~Prior to making grants to applying Indian tribes under par. (b)~~
18 approving the service area of an Indian tribe under par. (c), the department shall
19 consider whether and how the applying Indian tribe proposes to coordinate its
20 services with other public or private resources, programs, or activities in the region
21 and the state.

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1995 a. 27, 289; 1999 a. 9 ss. 1123d to 1125r, 1128d to 1128k, 1129g to 1129r; 2001 a. 16; 2005 a. 25; 2007 a. 20 ss. 1215 to 1219; Stats. 2007 s. 48.487; 2009 a. 94.

22 **SECTION 11.** 48.487 (4m) (e) of the statutes is amended to read:

1 48.487 (4m) (e) The department shall work closely with the women's council
2 and the department of public instruction, on a continuing basis, concerning the scope
3 and direction of activities ~~under projects funded by the program conducted~~ under
4 par. (b).

History: 1987 a. 27; 1989 a. 31; 1991 a. 39; 1995 a. 27, 289; 1999 a. 9 ss. 1123d to 1125r, 1128d to 1128k, 1129g to 1129r; 2001 a. 16; 2005 a. 25; 2007 a. 20 ss. 1215 to 1219; Stats. 2007 s. 48.487; 2009 a. 94.

5 **SECTION 12.** 48.487 (5) of the statutes is created to read:

6 48.487 (5) DOMESTIC ABUSE SERVICES. (a) In this subsection:

7 1. "Domestic abuse" means physical abuse, including a violation of s. 940.225

8 (1), (2) or (3), or any threat of physical abuse between adult family or adult household
9 members, by a minor family or minor household member against an adult family or
10 adult household member, by an adult against his or her adult former spouse or by an
11 adult against an adult with whom the person has a child in common.

12 2. "Domestic abuse services" means any of the following:

13 a. Shelter facilities or private home shelter care.

14 b. Advocacy and counseling for victims.

15 c. A 24-hour telephone service.

16 d. Community education.

17 3 2. "Family member" means a spouse, a parent, a child or a person related by
18 blood or adoption to another person.

19 4 3. "Household member" means a person currently or formerly residing in a
20 place of abode with another person.

21 (b) Subject to pars. (b) and (c), an elected governing body of an Indian tribe may
22 expend moneys from a grant received under sub. (1m) to provide domestic abuse
23 services.

1 (c) An elected governing body of an Indian tribe may provide shelter facilities
2 only if the department of safety and professional services determines that the
3 physical plant of the facility will not be dangerous to the health or safety of the
4 residents when the facility is in operation. An elected governing body of an Indian
5 tribe may provide shelter facilities or private home shelter care only if the body
6 ensures that the following services will be provided either by that Indian tribe or by
7 another person:

- 8 1. A 24-hour telephone service.
- 9 2. Temporary housing and food.
- 10 3. Advocacy and counseling for victims.
- 11 4. Referral and follow-up services.
- 12 5. Arrangements for education of school-age children.
- 13 6. Emergency transportation to the shelter.
- 14 7. Community education.

15 (d) An Indian tribe that provides domestic abuse services under this subsection
16 shall report all of the following information to the department by February 15
17 annually:

- 18 1. The total expenditures that the Indian tribe made on domestic abuse services
19 in the previous tribal fiscal year.
- 20 2. The expenditures specified in par. (a) by general category of domestic abuse
21 services provided.
- 22 3. The number of persons served in the previous tribal fiscal year by general
23 type of domestic abuse service.

1 4. The number of persons who were in need of domestic abuse services in the
2 previous tribal fiscal year but who did not receive the domestic abuse services that
3 they needed.

4 **SECTION 13.** 48.487 (7) of the statutes is created to read:

5 48.487 (7) CHILD WELFARE SERVICES. An elected governing body of an Indian
6 tribe may expend moneys from a grant received under sub. (1m) to provide child
7 welfare services as authorized under 42 USC 621 to 628b.

8 **SECTION 14.** 48.563 (1) (a) of the statutes is amended to read:

9 48.563 (1) (a) Within the limits of available federal funds and of the
10 appropriations under s. 20.437 (1) (b), (km), and (o), the department shall distribute
11 funds for children and family services to county departments as provided in subs. (2),
12 (3), and (7m) and s. 48.986.

History: 2007 a. 20 ss. 1097, 1098, 1102, 1103, 1287, 9121 (6) (a); 2009 a. 28, 94; 2011 a. 32.

13 **SECTION 15.** 48.563 (3) of the statutes is renumbered 48.487 (6) and amended
14 to read:

15 48.487 (6) TRIBAL CHILD CARE. For An elected governing body of an Indian tribe
16 may expend moneys from a grant received under sub. (1m) to provide child care
17 services under 42 USC 9858, the department shall distribute not more than \$412,800
18 in each fiscal year from the appropriation account under s. 20.437 (1) (b) to Indian
19 tribes. An Indian tribe that receives funding under this subsection shall use that
20 funding to provide child care for an eligible child, as defined in 42 USC 9858n (4).

History: 2007 a. 20 ss. 1097, 1098, 1102, 1103, 1287, 9121 (6) (a); 2009 a. 28, 94; 2011 a. 32.

21 **SECTION 16.** 49.165 (1) (d) (intro.) of the statutes is amended to read:

1 49.165 (1) (d) (intro.) "Organization" means a nonprofit corporation, or a public
2 agency ~~or a federally recognized American Indian tribe or band~~ that provides or
3 proposes to provide any of the following domestic abuse services:

History: 1979 c. 111; 1979 c. 355 s. 241; 1981 c. 20 ss. 792c, 792m, 2202 (20) (s); 1983 a. 27 ss. 997m, 998, 2202 (20); 1983 a. 204; 1985 a. 29; 1987 a. 332, 399; 1989 a. 31; 1991 a. 39, 96; 1993 a. 16, 227, 246, 319, 491; 1995 a. 27 ss. 2337 to 2345, 9116 (5); 1997 a. 27, 292; 1999 a. 9, 162; 2005 a. 25, 278; 2007 a. 1; 2007 a. 20 ss. 1181 to 1200; Stats. 2007 s. 49.165; 2011 a. 32.

4

(END)

Malaise, Gordon

From: Hanaman, Cathlene
Sent: Wednesday, October 17, 2012 3:42 PM
To: Malaise, Gordon
Subject: FW: [Possible SPAM] Statutory Language Drafting Request - BB0191
Importance: Low

From: katrina.major@wisconsin.gov [<mailto:katrina.major@wisconsin.gov>]
Sent: Wednesday, October 17, 2012 3:41 PM
To: Hanaman, Cathlene
Cc: Kraus, Jennifer - DOA; Major, Katrina L - DOA; Thornton, Scott - DOA
Subject: [Possible SPAM] Statutory Language Drafting Request - BB0191
Importance: Low

Biennial Budget: 2013-15

DOA Tracking Code: BB0191

Topic: tribal family services

SBO Team: GGCF

SBO Analyst: Major, Katrina L - DOA
Phone: 608-266-2288
E-mail: katrina.major@wisconsin.gov

Agency Acronym: DCF

Agency Number: 437

Priority: Medium

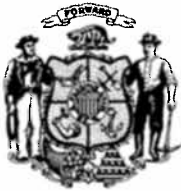
Intent:

consolidate funding streams

DCF draft 70

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-007071
GMM:sac:jf&jm

10/17

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Budget draft

Major, BDO191 - Tribal Family services program

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DCF provides funding from various appropriations to the Indian tribes of this state for various tribal family services. Specifically, from an appropriation of general purpose revenues (GPR), DCF provides grants to Indian tribes for tribal adolescent services; from another GPR appropriation, DCF provides grants to Indian tribes for domestic abuse services; from another GPR appropriation, DCF distributes moneys to Indian tribes for child care services; and from an appropriation of federal revenues, DCF distributes moneys to Indian tribes for child welfare services. Current law also specifies the amounts that DCF may provide for tribal adolescent services and must distribute for tribal child care services.

This bill eliminates funding from those various appropriations for those various tribal family services and instead creates a new GPR appropriation from which DCF must distribute tribal family services grants to the elected governing bodies of the Indian tribes in this state. The bill also eliminates the specific amounts that DCF may provide for tribal adolescent services and must distribute for tribal child care services and instead permits an elected governing body of an Indian tribe that receives a tribal family services grant to expend the grant moneys received as determined by that body.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.437 (1) (bd) of the statutes is created to read:

2 20.437 (1) (bd) *Tribal family services grants*. The amounts in the schedule for
3 tribal family services grants under s. 48.487.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 2.** 20.437 (1) (eg) of the statutes is amended to read:

5 20.437 (1) (eg) *Brighter futures initiative and tribal adolescent services*. The
6 amounts in the schedule for the brighter futures initiative under s. 48.545 and for
7 tribal adolescent services under s. 48.487.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 3.** 48.487 (title) of the statutes is amended to read:

9 **48.487 (title) Tribal adolescent family services.**

10 **SECTION 4.** 48.487 (1m) of the statutes is amended to read:

11 48.487 (1m) TRIBAL ADOLESCENT FAMILY SERVICES ALLOCATION GRANTS. From the
12 appropriation account under s. 20.437 (1) (eg) (bd), the department may allocate
13 \$210,000 in each fiscal year to provide the grants specified shall distribute tribal
14 family services grants to the elected governing bodies of the Indian tribes in this
15 state. An elected governing body that receives a grant under this subsection may
16 expend the grant moneys received for any of the purposes specified in subs. (2), (3)
17 (b), and (4m) (b), (5) (b), (6), and (7) as determined by that body.

18 **SECTION 5.** 48.487 (2) of the statutes is amended to read:

1 48.487 (2) ADOLESCENT SELF-SUFFICIENCY SERVICES. ~~From the allocation under~~
2 ~~sub. (1m), the department may provide a grant annually in the amount of \$85,000~~
3 ~~to the~~ An elected governing body of an Indian tribe may expend moneys from a grant
4 received under sub. (1m) to provide services for adolescent parents ~~which. Those~~
5 services shall emphasize high school graduation and vocational preparation,
6 training, and experience and may be structured so as to strengthen the adolescent
7 parent's capacity to fulfill parental responsibilities by developing social skills and
8 increasing parenting skills. ~~The Indian tribe seeking to receive a grant to provide~~
9 ~~these~~ An Indian tribe that provides those services shall develop a proposed service
10 plan that is approved by the department.

11 **SECTION 6.** 48.487 (3) (b) of the statutes is amended to read:

12 48.487 (3) (b) ~~From the allocation under sub. (1m), the department may provide~~
13 ~~a grant annually in the amount of \$65,000 to the~~ An elected governing body of an
14 Indian tribe may expend moneys from a grant received under sub. (1m) to provide
15 ~~to high-risk adolescents pregnancy and parenthood prevention services which to~~
16 high-risk adolescents. Those services shall be structured so as to increase the
17 development of decision-making and communications skills, promote graduation
18 from high school, and expand career and other options and ~~which~~ may address needs
19 of adolescents with respect to pregnancy prevention.

20 **SECTION 7.** 48.487 (4m) (title) of the statutes is amended to read:

21 48.487 (4m) (title) ADOLESCENT CHOICES PROJECT GRANTS PROJECTS.

22 **SECTION 8.** 48.487 (4m) (b) (intro.) of the statutes is amended to read:

23 48.487 (4m) (b) (intro.) ~~From the allocation under sub. (1m), the department~~
24 ~~may provide a grant annually in the amount of \$60,000 to the~~ An elected governing
25 body of an Indian tribe ~~for the provision of~~ may expend moneys from a grant received

1 under sub. (1m) to provide information to members of the Indian tribe in order to
2 increase community knowledge about the problems of adolescents and to provide
3 information to and activities for adolescents, particularly female adolescents, in
4 order to enable the adolescents to develop skills with respect to all of the following:

5 **SECTION 9.** 48.487 (4m) (c) of the statutes is amended to read:

6 48.487 (4m) (c) ~~Each funded tribal project~~ An Indian tribe that provides
7 services under par. (b) shall provide those services in ~~areas~~ an area of the state ~~as that~~
8 is approved by the Indian tribe and the department. The department shall
9 determine the boundaries of the ~~regional areas prior to soliciting project grant~~
10 ~~applications~~ regions in this state within which the Indian tribes may provide services
11 under par. (b) before approving the service area of an Indian tribe under this
12 paragraph.

13 **SECTION 10.** 48.487 (4m) (d) of the statutes is amended to read:

14 48.487 (4m) (d) Prior to ~~making grants to applying Indian tribes under par. (b)~~
15 approving the service area of an Indian tribe under par. (c), the department shall
16 consider whether and how the ~~applying~~ Indian tribe proposes to coordinate its
17 services with other public or private resources, programs, or activities in the region
18 and the state.

19 **SECTION 11.** 48.487 (4m) (e) of the statutes is amended to read:

20 48.487 (4m) (e) The department shall work closely with the women's council
21 and the department of public instruction, on a continuing basis, concerning the scope
22 and direction of activities ~~under projects funded by the program~~ conducted under
23 par. (b).

24 **SECTION 12.** 48.487 (5) of the statutes is created to read:

25 48.487 (5) DOMESTIC ABUSE SERVICES. (a) In this subsection:

1 1. “Domestic abuse” means physical abuse, including a violation of s. 940.225
2 (1), (2), or (3), or any threat of physical abuse between adult family or adult household
3 members, by a minor family or minor household member against an adult family or
4 adult household member, by an adult against his or her adult former spouse or by an
5 adult against an adult with whom the person has a child in common.

6 2. “Domestic abuse services” means any of the following:

7 a. Shelter facilities or private home shelter care.

8 b. Advocacy and counseling for victims.

9 c. A 24-hour telephone service.

10 d. Community education.

11 3. “Family member” means a spouse, a parent, a child, or a person related by
12 blood or adoption to another person.

13 4. “Household member” means a person currently or formerly residing in a
14 place of abode with another person.

15 (b) Subject to pars. (c) and (d), an elected governing body of an Indian tribe may
16 expend moneys from a grant received under sub. (1m) to provide domestic abuse
17 services.

18 (c) An elected governing body of an Indian tribe may provide shelter facilities
19 only if the department of safety and professional services determines that the
20 physical plant of the facility will not be dangerous to the health or safety of the
21 residents when the facility is in operation. An elected governing body of an Indian
22 tribe may provide shelter facilities or private home shelter care only if the body
23 ensures that the following services will be provided either by that Indian tribe or by
24 another person:

25 1. A 24-hour telephone service.

- 1 2. Temporary housing and food.
- 2 3. Advocacy and counseling for victims.
- 3 4. Referral and follow-up services.
- 4 5. Arrangements for education of school-age children.
- 5 6. Emergency transportation to the shelter.
- 6 7. Community education.

7 (d) An Indian tribe that provides domestic abuse services under this subsection
8 shall report all of the following information to the department by February 15
9 annually:

10 1. The total expenditures that the Indian tribe made on domestic abuse services
11 in the previous tribal fiscal year.

12 2. The expenditures specified in par. (a) by general category of domestic abuse
13 services provided.

14 3. The number of persons served in the previous tribal fiscal year by general
15 type of domestic abuse service.

16 4. The number of persons who were in need of domestic abuse services in the
17 previous tribal fiscal year but who did not receive the domestic abuse services that
18 they needed.

19 **SECTION 13.** 48.487 (7) of the statutes is created to read:

20 48.487 (7) CHILD WELFARE SERVICES. An elected governing body of an Indian
21 tribe may expend moneys from a grant received under sub. (1m) to provide child
22 welfare services as authorized under 42 USC 621 to 628b.

23 **SECTION 14.** 48.563 (1) (a) of the statutes is amended to read:

24 48.563 (1) (a) Within the limits of available federal funds and of the
25 appropriations under s. 20.437 (1) (b), (km), and (o), the department shall distribute

1 funds for children and family services to county departments as provided in subs. (2),
2 (3), and (7m) and s. 48.986.

3 **SECTION 15.** 48.563 (3) of the statutes is renumbered 48.487 (6) and amended
4 to read:

5 48.487 (6) TRIBAL CHILD CARE. For An elected governing body of an Indian tribe
6 may expend moneys from a grant received under sub. (1m) to provide child care
7 services under 42 USC 9858, ~~the department shall distribute not more than \$412,800~~
8 ~~in each fiscal year from the appropriation account under s. 20.437 (1) (b) to Indian~~
9 ~~tribes.~~ An Indian tribe that receives funding under this subsection shall use that
10 funding to provide child care for an eligible child, as defined in 42 USC 9858n (4).

11 **SECTION 16.** 49.165 (1) (d) (intro.) of the statutes is amended to read:

12 49.165 (1) (d) (intro.) "Organization" means a nonprofit corporation, or a public
13 agency ~~or a federally recognized American Indian tribe or band~~ that provides or
14 proposes to provide any of the following domestic abuse services:

15 (END)

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

11/22/13

12th Major - DOA

Page 2, line 13 change "shall" to "may"